



March 2, 1999

SENATE BILL No. 519

DIGEST OF SB 519 (Updated February 26, 1999 11:30 am - DI 44)

Citations Affected: IC 20-10.1.

Synopsis: Alternative education programs. Amends the definition of "alternative education program". Provides that governing bodies of school corporations may establish joint programs. Allows an entity other than a school corporation to manage or operate an alternative education program on behalf of a school corporation. Removes the requirement that a grant for an alternative education program be reviewed by the budget committee. Repeals the definition of program organizer for alternative education programs and makes corresponding changes to related statutes.

Effective: July 1, 1999.

Merritt

January 19, 1999, read first time and referred to Committee on Education.
January 28, 1999, reported favorably — Do Pass; reassigned to Committee on Finance.
March 1, 1999, amended, reported favorably — Do Pass.

SB 519—LS 7280/DI 71+



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March 2, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 519

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-10.1-4.6-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this
3 chapter, "alternative education program" refers to an alternative school
4 or educational program that is described in ~~section 4~~ of this chapter.

5 ~~The term includes:~~

6 ~~(1) an alternative education program described in section 3(a)(1)~~
7 ~~of this chapter; or~~

8 ~~(2) an area alternative education program described in section~~
9 ~~3(a)(2) of this chapter.~~

10 SECTION 2. IC 20-10.1-4.6-3 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The governing
12 body may elect to:

13 (1) establish an alternative program on its own; or

14 (2) participate in an area alternative program through a ~~joint~~
15 **cooperative program under IC 20-5-11: permitted by law.**

16 (b) An alternative program is not required to be located at a site that
17 is different than the site at which the traditional school instruction is

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1 offered.

2 (c) **An alternative program may be managed or operated on**
 3 **behalf of a school corporation by an entity other than a school**
 4 **corporation.**

5 SECTION 3. IC 20-10.1-4.6-4 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. To qualify as an
 7 alternative education program, the program must:

- 8 (1) be an educational program for eligible students that instructs
 9 the eligible students in a different manner ~~than from~~ the manner
 10 of instruction available in a traditional school setting; and
 11 (2) comply with the rules that are adopted under IC 4-22-2 by the
 12 board to govern:

- 13 (A) alternative education programs; and
 14 (B) admission of eligible students to alternative education
 15 programs.

16 SECTION 4. IC 20-10.1-4.6-5 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. The ~~program~~
 18 ~~organizer school corporation~~ may request the approval from the
 19 department for the following:

- 20 (1) To receive the grant for alternative education programs under
 21 IC 21-3-11.
 22 (2) To be granted waivers from rules adopted by the state board
 23 that may otherwise interfere with the objectives of the alternative
 24 education program, including waivers of:
 25 (A) certain high school graduation requirements;
 26 (B) the length of the student instructional day as set forth in
 27 IC 20-10.1-2-1(b);
 28 (C) required curriculum and textbooks;
 29 (D) teacher certification requirements; and
 30 (E) physical facility requirements.

31 SECTION 5. IC 20-10.1-4.6-6 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) Before a ~~program~~
 33 ~~organizer school corporation~~ is eligible for the funding, a ~~program~~
 34 ~~organizer must have~~ the grant for the program **must be** approved by
 35 both:

- 36 (1) the department; and
 37 (2) the budget agency. ~~after review by the budget committee.~~

38 (b) A school corporation may initiate the program and waiver
 39 approval process under section 5 of this chapter and the grant approval
 40 process under this section by submitting an application for the
 41 proposed alternative education program, on forms developed by the
 42 department, to the department. The application must include the



- 1 following information:
- 2 (1) The number of eligible students expected to participate in the
- 3 alternative education program.
- 4 (2) A description of the proposed alternative education program,
- 5 including a description of the nature of the alternative education
- 6 program curriculum.
- 7 (3) The extent to which the manner of instruction at the
- 8 alternative education program differs from the manner of
- 9 instruction available in the traditional school setting.
- 10 (4) A description of specific progressive disciplinary procedures
- 11 that:
- 12 (A) are reasonably designed to modify disruptive behavior in
- 13 the traditional school learning environment without
- 14 necessitating admission to an alternative education program;
- 15 and
- 16 (B) will be used before admitting a disruptive student into an
- 17 alternative education program.
- 18 (5) Any other pertinent information required by the department.
- 19 (c) The term of a grant may not exceed one (1) school year. If a
- 20 school corporation fails to conduct an alternative education program in
- 21 conformity with this chapter, the rules adopted by the state board of
- 22 education, or the terms of the approved grant, the department or the
- 23 budget agency after review by the budget committee may terminate
- 24 funding for the alternative education program before the grant expires.
- 25 SECTION 6. IC 20-10.1-4.6-2.7 IS REPEALED [EFFECTIVE
- 26 JULY 1, 1999].

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COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill No. 519, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Finance.

(Reference is made to Senate Bill 519 as introduced.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 7, Nays 3.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred Senate Bill No. 519, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Page 3, delete lines 27 through 31.

and when so amended that said bill do pass.

(Reference is to SB 519 as introduced.)

BORST, Chairperson

Committee Vote: Yeas 10, Nays 3.

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